

REMARKS

Claim 1 and 3 are amended. Claims 8-20 are canceled without prejudice to the filing of a continuing application. New claims 21 – 28 are added. Upon entry of the amendment, claims 1-7 and 21 – 28 are presented for consideration by the Examiner in view of the following remarks.

Claims 1-7 stand rejected under 35 U.S.C. § 103 as being obvious to one of skill in the art in view of U.S. Patent No. 6,073,119 (hereinafter the '119 patent). The '119 patent is generally directed to a banking facility layout which includes a video wall feature permitting interaction by network users, including customers. The video wall is used to display promotional materials about the bank, its products, facilities, services and other features. The video wall may be used to display information about service providers or products drawn from the worldwide web. The selection of material to be displayed on the video wall is made from within the banking institution by bank personnel. The video wall acts as an attractive element in a technology-based promotional scheme for the banking facility allowing multi-media displays and permitting interaction with and alteration of the media displayed on the video wall.

Claim 1 is amended to emphasize that it is directed to a subscription service for delivering business communications in electronic form from a provider of such communications to subscribers. Claim 1 is amended to read in pertinent part as follows:

1. A method of distributing electronic media for display at a multiplicity of remote locations comprising:
 - (a) creating a plurality of electronic poster kits each containing a plurality of posters;
 - (b) posting said electronic poster kits on a web site;
 - (c) **permitting access by a subscriber to** said web site over the Internet to view a poster kit;
 - (d) selecting **by the subscriber** from a remote location a set of posters from said web site;
 - (e) customizing **by the subscriber** said selected set of posters from said remote location by transmitting data over the Internet;
 - (f) transmitting said customized selected set of posters over the Internet to said remote location; and

- (g) displaying said customized selected set of posters on a screen **designated by the subscriber.**

Steps (c) through (e) and (g) specifically recite actions taken by a subscriber including: viewing a poster kit; selecting a set of posters; customizing a set of posters; and displaying the selected set of posters on a screen designated by the subscriber. The '119 patent does not disclose, teach or suggest a method of distributing electronic media where a subscriber may select a subset of electronic posters from a plurality of electronic posters for display at subscriber designated remote locations as recited in amended claim 1. Claim 1 is therefore patentable over the '119 patent.

Claims 2-7 which depend directly or indirectly from claim 1 are patentable for at least the reasons stated in support of claim 1.

Claim 2 recites in pertinent part "further comprising identifying a subscriber for said remote location and limiting access to a specific poster kit as a function of the identified subscriber." The '119 patent does not contemplate a subscriber based method of distributing electronic media and therefore cannot disclose, teach or suggest the step recited in claim 2. The method and system for banking institution interactive center disclosed in the '119 patent is not subscription based and essentially relates to a multi-media electronic display incorporated into a banking facility as an attraction element and information provider to customers of the bank. The '119 patent does not disclose, teach or suggest subscribers accessing a web site to select from electronic posters as recited in claim 1. More specifically, the '119 patent does not disclose, teach or suggest "identifying the subscriber" and limiting access to a specific poster kit as a function of the identified subscriber" as recited in claim 2. Claim 2 is patentable for at least these additional reasons.

Claim 3 recites in pertinent part "further comprising repeating each step." Claim 3 contemplates multiple subscribers where each subscriber may access the web site repeatedly over a period of time. For example, a subscriber may access the web site weekly or monthly to select a new group of electronic posters for display on a screen of the subscriber's designation. The '119 patent does not disclose, teach or suggest

repeating the steps of "permitting access by a subscriber" and "selecting by the subscriber" of various electronic media for display on screens "designated by the subscriber" as recited in claim 3. Claim 3 is patentable for at least these additional reasons.

Claim 4 recites in pertinent part "wherein if step (d) is not repeated within a pre-established time interval, further comprising transmitting a default poster kit to said remote location and displaying said default poster kit on the screen designated by the subscriber." The recitations of claim 4 add a temporal element to the steps recited in claims 1 and 3. In other words, if the subscriber does not repeat the step of "selecting" within a pre-established time interval, the method includes the steps of "transmitting a default poster kit to said remote location and displaying the default poster kit on the screen designated by the subscriber." The '119 patent does not contemplate a subscriber based system; does not disclose, teach or suggest a default poster kit; or the time-triggered steps recited in claim 4. Claim 4 is patentable for at least these additional reasons.

Claim 5 recites in pertinent part "wherein if step (e) is not repeated within a pre-established time interval, relative to step (d), default customized data is transmitted to generate said customized selected set of posters." Claim 5 requires that the method track the time intervals between actions by a subscriber and take particular default actions in the absence of specified actions by the subscriber. The '119 patent does not contemplate a subscriber based system and does not disclose, teach or suggest the implementation of default actions upon the expiration of a pre-established time interval between subscriber actions. Claim 5 is patentable for at least these additional reasons.

Claims 8-20 are cancelled without prejudice to their inclusion in a continuing application.

New claims 21-28 are added. New claims 21-28 closely track the language of claims 1-7.

Claim 21 recites in pertinent part:

(c) permitting access by a subscriber to said web site from a remote location, said access permitting the subscriber to:

- (1) view a plurality of said electronic posters;
- (2) create a customized set of electronic posters by selecting one or more of said electronic posters from said plurality of electronic posters; and
- (3) order delivery of said customized set of electronic posters over the Internet to a subscriber-designated remote location;
- (d) delivering said customized set of electronic posters over the Internet to said subscriber-designated remote location; and
- (e) displaying said customized set of electronic posters on a screen selected by said subscriber.

Claim 21 emphasizes the subscriber based nature of the claimed method. The '119 patent does not contemplate a subscriber based method for distributing electronic media as recited in claim 21. "Permitting access by a subscriber" to the web site and the actions taken by the subscriber to "create a set of electronic posters" and designate the place for delivery and display are not disclosed, taught or suggested in the '119 patent. Claim 21 is patentable over the '119 patent for at least these reasons.

Claims 22-27 depend directly or indirectly from claim 21 and are patentable for at least the reasons stated in support of claim 21.

Claim 22 recites in pertinent part "receiving criteria for creation of said electronic posters from the subscriber; and organizing said electronic posters into electronic poster kits according to said criteria". The '119 patent does not disclose, teach or suggest the recitations of claim 22. Claim 22 is patentable over the '119 patent for at least this additional reason.

Claim 23 recites in pertinent part: "wherein said step of permitting includes identifying said subscriber" and said method comprises: "limiting access by said identified subscriber to electronic poster kits organized according to criteria gathered from said identified subscriber". Claim 23 depends from claim 22 and requires limiting access by an identified subscriber to electronic poster kits organized according to criteria gathered in the step recited in claim 22. The '119 patent does not disclose, teach or suggest the recitations of claim 23. Claim 23 is patentable over the '119 patent for at least this additional reason.

Claim 24 recites in pertinent part:

wherein if subscriber does not create a customized set of electronic posters or order delivery of said customized set of electronic posters for a pre-established period of time, said method comprises: delivering a default set of electronic posters to said subscriber designated remote location; and displaying said default set of electronic posters on the screen selected by the subscriber.

Claim 24 adds a time related element to the method of claim 21 wherein, if the subscriber does not take the recited actions within a pre-established period of time, the method includes the default steps of "delivering a default set of electronic posters to said subscriber designated remote location and displaying said default set of electronic posters on the screen selected by the subscriber". The '119 patent does not disclose, teach or suggest the time triggered default steps recited in claim 24. Claim 24 is patentable over the '119 patent for at least this additional reason.

Claim 25 recites in pertinent part "employing said criteria to generate a default set of electronic posters if said subscriber does not access said web site for a pre-established period of time". The '119 patent does not disclose, teach or suggest the gathering criteria from a subscriber or the use of such criteria to generate default sets of electronic posters for delivery to a subscriber in the absence of subscriber related activity for a pre-established period of time. Claim 25 is patentable over the '119 patent for at least these additional reasons.

Claim 28 recites in pertinent part:

wherein said access also permits the subscriber to:

(4) designate a time duration for the display of each electronic poster in said customized set of electronic posters; and said step of displaying comprises display of each electronic poster in said customized set of electronic posters in accordance with the time duration designated by the subscriber."

The '119 patent does not contemplate a subscriber based method of distributing electronic media where the subscriber can not only select posters from those posted on a web site but also "designate a time duration for the display of each poster in the

customized set of electronic posters" as recited in claim 28. Claim 28 is patentable over the '119 patent for at least this additional reason.

The Whalley et al. reference entitled "Two Examples of the Use of Electronic Posters" is interesting for two reasons. First, the Whalley reference shows an understanding of those skilled in the art for the term "electronic poster" that differs from the pop-up windows cited by the Examiner from the '119 patent. The term "electronic poster" is intended to encompass the traditional poster form of visual and text media combined to illustrate a point or teach a lesson and intended for display in a public place. The pop-up windows cited by the Examiner lack the public display and teaching functions implied by the term electronic poster, as that term is shown to be understood by the Whalley reference. Second, the Whalley reference teaches away from the method claimed by the Applicant. The Whalley reference specifically discusses disadvantages of electronic posters. "First, they cannot be used to show students' work to others, in corridors for example, although it is possible to print-out material if required". Applicant overcomes this deficiency by placing display screens in public areas. These screens are designated by the subscribers according to the recitations of the claims.

For all the foregoing reasons, claims 1-7 and 21-28 are patentable over the prior art cited by the Examiner. Applicant respectfully requests allowance of claims 1-7 and 21-28.

Respectfully submitted,

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